

## **Section 40, MXU Mixed Use District Regulations**

**PURPOSE:** The purpose of the Mixed Use MXU District is to encourage the mixing of residential, retail, and office uses within an urban framework which is small in scale and compatible with adjacent developments. This section is also intended to promote flexibility in the development process.

**USES GENERALLY:** In a "MXU" Mixed Use District no land shall be used and no building shall be erected for or converted to any use other than as hereinafter provided.

The following uses of Land are authorized as permitted uses within the Mixed Use District, strictly in accordance with an approved Site Plan as provided for herein below. Uses are further classified according to general categories of land uses. To the extent expressly authorized by these district regulations, a general use category shall be identified on a Site Plan. Upon approval of such plan, any use appearing in the use list, which is classified under such general category, is authorized to be established in accordance with the Site Plan, and any conditions attached thereto.

### **A. PRINCIPAL USES:**

1. Residential uses:
  - a. Townhouse/Rowhouse.
  - b. Multifamily uses.
2. Commercial uses:
  - a. Hotels, provided the following design criteria is met:
    1. Each guestroom shall have a minimum area of 380 square feet.
    2. A full service restaurant with full kitchen facilities and which provides service to the general public shall be required.
    3. On-site staff is required 24-hours a day, seven days a week.
    4. The following amenities shall be provided:
      - (a) A minimum of one thousand (1,000) square foot. of meeting or conference room space or a ratio of three (3) square foot of conference

room space per guest room, whichever is greater; and

- (b) A swimming pool with a minimum area of (one thousand (1,000) square foot.

b. Restaurants excluding drive-ins or drive-through facilities.

3. Retail uses:

- a. Antique shop.
- b. Aquarium.
- c. Art Gallery.
- d. Bakery, retail sales only.
- e. Bank.
- f. Barber and Beauty shop.
- g. Bird and pet shops, retail.
- h. Book or stationery store.
- i. Camera Shop.
- j. Candy, cigars and tobaccos.
- k. Caterer and wedding service (office only).
- l. Cleaning, dying and laundry pick-up station for receiving and delivery of articles to be cleaned, dyed, and laundered, but no actual work to be done on the premises.
- m. Department Store.
- n. Drug store.
- o. Electrical goods and fixtures for consumer use.
- p. Electronics store.
- q. Film developing and printing.
- r. Florist, retail sales only.

- s. Art Gallery.
- t. Grocery store.
- u. Hardware, sporting goods, toys, paints, wallpaper, clothing stores.
- v. Household and office furniture, furnishings and appliances, retail sales only.
- w. Jewelry, optical goods, photographic supplies.
- x. Library, rental.
- y. Novelty or variety shop.
- z. Piano and musical instruments.
- aa. Printing shop, retail sales only.
- bb. Professional offices for architect, attorney, engineer and real estate.
- cc. Photographers and artist studios.
- dd. Public garage, parking, no repairs.
- ee. Retail store or shop.
- ff. Seamstress, dressmaker, or tailor.
- gg. Shoe repair shop.
- hh. Studio for the display and sale of glass, china, art objects, cloth and draperies.
- ii. Studios, dance, music, drama.
- jj. Wearing apparel, including clothing, shoes, hats, millinery and accessories.
- kk. Copy shop.
- ll. Movie Theater

mm. Retail sales of second hand goods in an enclosed building provided the space does not exceed 3,000 (three thousand square feet in area).

4. Office:

Civic.

Mixed use (with residential).

Mixed use (without residential).

B. ACCESSORY USES: The following uses shall be permitted as accessory uses, strictly in accordance with an approved Site Plan as provided for herein below:

1. Community, social, hobby or laundry facilities for use by occupants of a development within the district.
2. Recreation space and facilities including exercise facilities and weight rooms, tennis courts, racquetball, handball and volleyball courts, spas and swimming pools, for use by occupants of a development within the district.
3. Parking and parking structures.
4. Other uses customarily incidental to the permitted uses.

C. CONDITIONAL USES: The following uses may be permitted, provided they meet the provisions of Section 48 of the Zoning Ordinance, and a Conditional Use Permit is issued, and is strictly in accordance with an approved Site Plan as provided herein below.

1. Day care facility.
2. Alcoholic beverage sales provided a special permit is issued in accordance with Section 42.B of the Zoning Ordinance.
3. Health clubs.
4. Retirement home.
5. Medical offices.
6. Banks with drive through service.

7. Retail sales of secondhand goods in an enclosed building where the size of the space exceeds 3,000 (three thousand square feet in area.
  8. Any use allowed within this district with outdoor speakers.
- D. **REQUEST FOR MIXED USE DISTRICT ZONING CLASSIFICATION:** The procedure to follow to establish a Mixed Use Zoning (MXU) classification shall be the same as that required to amend, repeal or alter the zoning on a tract, or parcel of land as specified under Section 48 of the Zoning Ordinance relating to Conditional Uses, except as otherwise provided for herein. In the event of a conflict between Section 48 and this ordinance, the terms of this ordinance shall take precedence. MXU zoning shall permit development only in accordance with a Site Plan that has been approved by the City Council. Property zoned MXU may only be used and/or developed in accordance with its approved Site Plan. No amendment(s) to an approved Site Plan are permitted without City Council approval. A request to amend a Site Plan in a MXU district is a request to re-zone the tract. Uses permitted under an approved Site Plan are only permitted in strict accordance with the corresponding, approved Site Plan.
- If the project is to be developed in phases, a proposed phasing plan that identifies the anticipated sequence of development is required at the time of application. The phasing plan shall delineate areas, building sites, land use and improvements to be constructed in independent phases, and the scheduled time frames, and sequencing of such phases.
- E. **SITE PLAN REQUIREMENTS:** No application for a building permit for construction of a principal building shall be approved unless:
1. A Plat, meeting all requirements of the City of Grapevine has been approved by the City Council and recorded in the official records of Tarrant County.
  2. A Site Plan meeting the requirements of Section 47 of the Zoning Ordinance has been approved as specified under Section 48, Conditional Uses.
  3. A Landscape Plan, meeting the requirements of Section 53 of the Zoning Ordinance and Section N, has been approved.
- F. **PERIOD OF VALIDITY.** No Site Plan for the Mixed Use District shall be valid for a period longer than one (1) year from the date on which the City Council grants approval, unless within such one (1) year period: (1) a Building Permit is obtained and the erection or alteration of a structure is started, or (2) an Occupancy Permit is obtained and a use commenced. The City Council may grant one additional extension not exceeding one

(1) year, upon written application, without notice or hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a zone change.

Upon expiration of an MXU Site Plan, the property cannot be developed until a change in zoning is approved by the City Council. There shall be no vested right to uses permitted by a Site Plan under MXU upon the expiration of the Site Plan.

G. **GENERAL CONDITIONS:** To insure that development within the “MXU” Mixed Use District is consistent with the City’s Comprehensive Master Plan, the following special conditions shall be established:

1. **Ground Level Retail:** Buildings fronting on streets must be designed to accommodate ground level retail. The ground level floor area may be used for office uses.
2. **Free Standing Retail:** Free standing retail is prohibited.
3. **Free Standing Banks:** Free standing banks are prohibited.
4. **Free Standing Movie Theaters:** Free standing movie theaters are prohibited.
5. **Maximum Retail Floor Area:** The maximum allowable gross floor area per retail establishment is 5,000 square feet. Any retail establishment greater than 5,000 square feet shall be considered a Conditional Use.
6. **Office Uses:** A building which has “office” as a predominant use shall not be permitted unless a detailed facilities study which includes a traffic impact analysis demonstrating that the project can be adequately supported by the utilities and transportation facilities in a timely manner is approved by the city.

H. **DENSITY AND AREA STANDARDS:** The density and area standards shall apply:

1. **Maximum Lot Coverage:** The combined area occupied by all main and accessory structures shall not exceed eighty (80) percent of the total lot area.
  - a. The area of an above grade parking structure is included in the calculations of lot coverage
  - b. The area of a porch or arcade fronting a public street is not included in the calculation of lot coverage.

2. Minimum Density/FAR – The gross minimum density/floor area ratio (FAR) for the Mixed Use District shall be 1.5.
3. Minimum Floor Area per Dwelling Unit:
  - a. Townhouse /Rowhouse - 1,600 square feet
  - b. Multifamily use:
    1. Efficiency - 600 square feet
    2. 1 Bedroom - 750 square feet
    3. 2 Bedroom - 900 square feet
    4. 3 Bedroom - 1,000 square feet
4. Height: Minimum and maximum height of buildings shall be:
  - a. Townhouse/Rowhouse –  
Minimum height of 24-feet and maximum height of 42-feet.
  - b. Multifamily use –  
Minimum height of 40-feet and maximum height of 92-feet\*.
  - c. Hotel use –  
Minimum height of 40-feet and maximum height of 92-feet\*.
  - d. Retail use –  
Minimum height of 40-feet and maximum height of 92-feet\*.
  - e. Office use –  
Minimum height of 40-feet and maximum height of 92-feet\*.
  - f. Mixed use –  
Minimum height of 40-feet and maximum height of 92-feet\*.

\*No building shall exceed fifty (50) feet in height unless the additional height is set back from the setback line/build to line one (1) additional foot for each two (2) feet of height above the 50-foot limit.

A turret, spire or tower may exceed maximum height of a building provided that any such structure is no more than 15-feet higher than the maximum permitted height and has a floor area which is

ten percent, or less, of the ground floor area of the building of which it is a part.

- I. AREA REGULATIONS: The following minimum standards shall be required:

1. Minimum Lot Width and Depth:

Use	Minimum Width of Lot (Feet)	Minimum Depth of Lot (Feet)
Townhouse/ Rowhouse	25	60
Multifamily use	200	200
Hotel use	200	200
Retail use	200	200
Office use	200	200
Mixed use	200	200

2. Setbacks:

- a. Build-to line: The build-to line for primary buildings, structures, walls and fences shall be ten (10) feet on all public street frontages. Twenty-five (25) percent of any street frontage of a building shall be located five (5) feet from the front property line.
1. The zone between the right-of-way line and the build-to line shall be landscaped in accordance with Section N of this section.
  2. There shall be no build-to-line/setback for temporary buildings, structures or tents erected in accordance with Section Q, provided sidewalks are not obstructed.
- b. Perimeter Setbacks: Primary buildings and parking structures shall be setback from the district boundary lines a minimum of ten (10) feet.
- c. Accessory buildings and detached garages – accessory buildings and parking structures shall be set back from lot lines as provided below for the applicable use of the lot. The zone between the right-of-way line and the setback line shall be landscaped in accordance with Section N.



1. Townhouse/Rowhouse – 40-feet from public right-of-way
  2. Multifamily use – same as setback for primary buildings
  3. Hotel use - same as setback for primary buildings
  4. Retail use - same as setback for primary buildings
  5. Office use - same as setback for primary buildings
  6. Mixed use - same as setback for primary buildings
- d. Overhangs and fireplaces: The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof stairways located above the first floor may extend up to a maximum of five (5) feet into the required setbacks.
- e. Patios: Patios may not be constructed within the required setback zones. This limitation, however, does not apply to sidewalk cafes.

J. OPEN SPACE:

1. Land proposed to be dedicated as public open space shall be clearly shown on the Site Plan.
2. Sufficient land for open space shall be provided in each phase of the development to assure that the recreational needs of district residents are satisfied, taking into consideration the nature of open space required to serve the district, and the amount of land previously provided, or to be provided, in conjunction with the phase of the development.
3. In its approval of the Site Plan, the City shall impose such conditions as deemed necessary to assure that the intent and purpose of this section is satisfied.

K. PARKING: Off-street and on-street facilities shall be provided for multifamily uses, hotel uses, retail uses, office uses, civic uses and mixed uses, in accordance with this section.

1. All at-grade parking lots fronting streets designated on the thoroughfare plan shall be set back not less than ten- (10) feet

from the right-of-way line of such roadways, and screened from view as outlined in Section N.

2. Parking garages that have frontage on public streets shall comply with standards established in Section I.2.b and Section N.
  - a. A maximum of two hundred (200) feet of frontage for parking structures shall be allowed along any one-block.
  - b. Ramps shall not be placed on the face of parking structures fronting, or visible from, public streets.
  - c. Steel parking garages and steel guard cables on garage facades are prohibited.
3. Off-street below grade parking is permitted to the lot lines, but must be designed to allow planting of landscape as defined in Section N.
4. Off-street parking spaces for the applicable use classification shall meet the following minimum number of spaces:
  - a. Residential – One (1) space per bedroom to a maximum of two (2) spaces per unit.
  - b. Hotel – One (1) space per hotel room plus one (1) space per every 300 square feet of conference/banquet facilities.
  - c. Retail - One (1) space for every 200 square feet of gross floor area.
  - d. Office – One (1) space for every 300 square feet of gross floor area.
  - e. Mixed use – Number of spaces resulting from application of ratios provided above for respective uses in the development.
  - f. Conditional uses – As specified in Section X, Design Requirements for conditional uses.
5. On-Street Parking: On-street parking within three hundred (300) feet of the proposed use may be counted to meet the parking requirements for retail uses and other conditional uses. Assignment of on-street parking shall be at the time of approval of the Site Plan and shall be allocated at the time of the Site Plan's approval.

6. Shared Parking: Uses may join in establishing shared parking areas if it can be demonstrated that the parking for two or more specific uses occurs at alternating time periods. Required parking shall be determined based on parking demand for the peak parking period, as determined by a parking analysis study approved by the Director of Development Services.
- L. STREETS: All streets and blocks in the Mixed Use District shall conform to the provisions of this section.
1. Street Standards: It is the intent of this ordinance to encourage pedestrian oriented streetscapes within the Mixed Use District. Standards for streets within the district shall be as set forth in Appendix E, Construction Standards of the City Of Grapevine Subdivision Ordinance. Alternate street widths and standards may be considered at the time of application.
  2. Street Type and Pattern: The types and pattern of all streets in the district shall be in conformity with the Thoroughfare Plan for the City. The location of streets on the Thoroughfare Plan is approximate. Precise location of streets shall be determined in conjunction with approval of the Site Plan. Street patterns shall be based upon a small-scale grid system of interconnecting streets.
  3. Block Length: The length of a block shall not be less than two hundred (200) feet, or more than six hundred (600) feet.
- M. EXTERIOR APPEARANCE
1. Materials:
    - a. At least ninety (90) percent of the exterior cladding of all exterior walls fronting or visible from public streets (including above grade parking structures) shall be brick construction. An applicant however may submit a design that employs alternative construction materials for exterior cladding with an application for a Mixed Use District designation. The alternative may be approved by the City upon determination that such construction will result in an appearance that is compatible with surrounding buildings and the overall character of the district.
    1. Upon a finding that the alternative design will result in an appearance that is compatible with surrounding buildings and the overall character of the district, waivers may be granted for alternatives employing a minimum of forty (40) percent brick cladding, provided

that the ground floor of the structure (up to a height of twelve [12] feet), is a minimum of ninety (90) percent brick.

- b. At least eighty (80) percent of the exterior cladding of all walls not fronting, or not visible from public ways (including above grade parking structures) shall be brick construction, exterior cement plaster, or a combination thereof.
- c. The exterior cladding, (excluding glass), of all buildings, (including above grade parking structures), shall be composed of not more than three (3) materials, (excluding roofs).
- d. The following materials are prohibited as primary cladding materials:
  - 1. Aluminum siding or cladding.
  - 2. Galvanized steel or other bright metal.
  - 3. Wood or plastic siding.
  - 4. Wood roof shingles.
  - 5. Unfinished concrete block (architecturally finished concrete block is permitted as a cladding material).
- e. The following materials are prohibited as primary roofing materials:
  - 1. Wood roof shingles.
  - 2. Composition shingles on any portion of a roof visible from any adjacent street. Where composition shingles are allowed, they must meet a minimum standard of U.L. Class A fire rating and U.L. wind rating.

2. Colors:

- a. The dominant color of all buildings (including above grade parking structures) shall be shades of red, beige, gray with red tones (warm gray) and/or brown. Black and stark white shall not be used. There are no restrictions on accent colors, except that fluorescent colors are prohibited.

- b. The roof colors shall be a shade of cool gray, warm gray, brown or red.
  - 3. Windows:
    - a. Where a retail use occupies the first floor, at least seventy (70) percent of the first floor exterior wall facing a thoroughfare, street, boulevard or parking plaza shall be transparent glazing.
    - b. The exterior wall surface of all buildings above the first floor shall not be more than fifty (50) percent glass.
    - c. Glass is to be clear or tinted, not reflective.
  - 4. Walls: Walls attached to buildings shall be developed as architectural extensions of the buildings, constructed of the same material and in the same style.
  - 5. Lighting: All on-site lighting must meet the requirements of Section 55.A.5 of the Zoning Ordinance.
- N. LANDSCAPE REQUIREMENTS: Landscaping within the Mixed Use District shall comply with the provisions in this section and with the standards contained in Section 53, Landscaping Regulations of the City of Grapevine Zoning Ordinance. Where conflicts exist between this article and the landscaping regulations, requirements in this article shall be applied.
- 1. Street Trees: Street trees shall be large shade tree species having a minimum caliper of three (3) inches, selected in accordance with the city's landscape regulations.
  - 2. Plant Material: Front yards shall be landscaped except at building entries, seating areas, and adjacent to commercial uses, where the front yard may be paved. Plant materials shall consist of shade trees, ornamental trees, shrubs, evergreen ground covers, vines, and seasonal color.
  - 3. Paving Material:
    - a. Paving material in front yards and on sidewalks shall be warm toned, natural materials such as brick, stone and concrete.
    - b. Asphalt and gravel as paving materials are prohibited.

4. Parking Lot Landscape:

- a. Surface parking lots shall be screened from all adjacent public streets and neighboring sites. The screen must extend along all edges of the parking lot and must be three (3) feet in height, eighty (80) percent opaque, and may be accomplished through the use of masonry walls, ornamental metal, evergreen plant materials, or a combination thereof. Planting beds for screen planting shall be a minimum of three (3) feet in width.
- b. Interior parking lot landscaping shall be consistent with Section 53, Landscape Regulations of the City of Grapevine Zoning Ordinance.
- c. Parking spaces shall not exceed twelve (12) spaces in a row without being interrupted by a landscaped island (nine-foot minimum). Islands shall be planted with a minimum of one shade tree per every twelve (12) cars.

O. Screening:

1. Mechanical equipment shall be screened from view of all public roadways and located to minimize noise intrusion off the lot. The required screening must be composed of the same exterior materials as the buildings on the lot, or through the use of masonry walls, ornamental fence (eighty [80] percent opaque), evergreen landscape material, or combination thereof.
2. Loading, service and trash storage areas shall be screened from all public roadways. Refuse containers must be placed on a designed, reinforced concrete pad and approach. The required screening must be composed of the same exterior materials as the buildings on the lot.
3. All roof-mounted mechanical elements must be screened from view of the public right-of-way and neighboring properties. Screening must be architecturally compatible with the building design.

P. SIGNS: Signage within the Mixed Use District shall comply with the provisions in this section and with the standards contained in Section 60, Sign Standards of the City of Grapevine Zoning Ordinance. Where conflicts exist between this article and the Sign Standards, requirements in this article shall be applied.

1. Functional/Structural Types Permitted:

The following permitted functional uses shall be limited to the associated structural types of signs:

- a. Nameplate Signs:
    1. Wall
  - b. On-Premise Signs:
    1. Wall signs
    2. Awning, canopy, marquee
    3. Projecting
    4. Portable sandwich board
  - c. Real Estate Signs:
    1. Wall
2. Number Of Signs Permitted:
- a. Nameplate: One (1) per storefront.
  - b. On-Premise Signs: Awning, canopy, marquee, and either one (1) wall sign per each individual wall for each lease space or one (1) projecting sign per storefront.
  - c. Real Estate: One (1) per storefront.
3. Maximum Gross Surface Area:
- a. Nameplate: Two (2) square feet.
  - b. Projecting Signs: Twenty-five square feet.
  - c. Real Estate: Sixteen (16) square feet except that signs located on lots fronting State Highways 114, 121, 360 and State Highway 26 east of Texan Trail/Ruth Wall Street may be thirty-two (32) square feet.
  - d. Wall Signs: Fifteen (15) percent of the wall.
  - e. Awning, Canopy and Marquee: Twenty-five (25) percent of the awning, canopy or marquee.
4. Maximum Height: No sign shall protrude above the roof or eave line of the principal structure. Projecting signs shall be a minimum of eight (8) feet above sidewalk grade and shall not protrude above the roof or eave line of the principal structure.

5. Illumination: Illuminated signs are permitted for nameplate and on-premise signs only.

Q. OUTSIDE SALES AND/OR COMMERCIAL PROMOTIONS:

1. Any temporary outside sales shall be required to obtain a permit and be subject to the requirements of this section.
2. Temporary outside sales may be permitted for a period of fourteen (14) days each calendar year with a maximum two (2) permits allowed per calendar year, providing such goods, products or merchandise is displayed on a sidewalk within ten (10) feet of the business building.
3. Temporary outside sales shall be deemed to include merchandise-dispensing units placed adjacent to, and outside of, a business building.
4. In order to qualify for a permit, the applicant must:
  - a. Provide a plan showing the location of the outside display.
  - b. Provide the City with a Site Plan showing location(s) of all tents (if applicable). Submit documentation showing compliance with all building and fire codes including, but not limited to, flame spread certificate(s).
  - c. Provide a map, plan, or drawing to indicate adequate off-street parking for patrons, employees and delivery trucks; such map, plan or drawing should also indicate that no fire lanes, streets or other public rights-of-way will be blocked as a result of the sale or promotion.
  - d. If food is served, provide food service facilities in accordance with the Grapevine food and food establishment ordinance.
  - e. Provide for adequate trash and waste removal and cleanup of the area.
  - f. Comply with all other reasonable conditions imposed by the City.

R. OUTSIDE STORAGE OR OUTSIDE DISPLAY: Except for the equipment and/or the materials stored on a construction site and used for a temporary construction project, the outside storage or outside display of equipment, building and/or other materials, goods and products shall be



prohibited within the district, with the exception of outside dining shown on an approved Site Plan.

- S. PATIOS AND BALCONIES: Balconies and patios facing public streets shall not extend beyond the build-to-line except as permitted in Sections I.2.d and I.2.e.

- T. DESIGN GUIDELINES: From time to time, the City may develop and amend design guidelines, which shall be approved by resolution of the City Council, as an aid to implementation of this article. Such guidelines shall be used by the City to assist decision-makers in interpreting standards applicable to development within the Mixed Use District.

- U. FLEXIBLE STANDARDS

- 1. Alternative Uses or Phases: In order to encourage an integrated development pattern of mixed uses over time within the district, it is understood that flexibility in the development of phases or sites may be necessary. Whenever an applicant of a Mixed Use District proposes alternative land uses or phases of an approved Mixed Use District, such alternative uses or phases shall be incorporated in a zoning amendment to the Mixed Use District. The zoning amendment for alternative land uses or phases shall follow the same procedures established in Section D, REQUEST FOR A MIXED USE DISTRICT ZONING CLASSIFICATION. In no case, however, may the Council approve an alternative use not allowed within Sections A, B and C of the Mixed Use District.
  - 2. Flexible Design Standards: It is intended that the general conditions, as well as the dimensional and design standards set forth in Sections G, H and M of this article be flexible in order to encourage development in the Mixed Use District. In some cases, Sections G, H and M set forth limits within which specific standards may be varied. For requests other than those set out in Sections G, H and M, the developer must request a waiver from a specific standard. The Council may approve such waiver in conjunction with its decision to establish or amend the district in those cases where the waiver addresses a standard applicable to the Site Plan.

- V. WAIVER PROCEDURE

- 1. Procedure: An application for a waiver to a development standard authorized under Section U of this article must be made by a property owner, lessee, or contract purchaser at the time of submission of an application to establish a "MXU" Mixed Use District. A contract purchaser or lessee must file with the application, a copy of the contract, or lease, or other form of written

statement containing the property owners endorsement of the application. The application shall be filed in duplicate with Department of Development Services on forms provided by the City. Upon a determination that the waiver application is complete, the Director of Development Services shall forward the request to the Planning and Zoning Commission and the City Council for decision in conjunction with its decision on the application to establish a Mixed Use District.

2. Standards for Granting Waiver: The Planning and Zoning Commission in making its recommendations, and the City Council in deciding whether to grant the request for waiver, shall determine that the following standards are met:
  - a. The waiver for the specific development site is in harmony with the policies in the Comprehensive Master Plan.
  - b. The waiver is in harmony with the general purpose and intent of this article and the zoning ordinance.
  - c. The waiver shall not adversely affect the use of neighboring property, and the public's use and enjoyment of public areas, in accordance with the provisions of this article.
  - d. The waiver is in conformity with the approved Site Plan.
3. Conditions: In granting a waiver to a development standard authorized under Section U of this article, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions and safeguards as it deems necessary to insure harmony with the general purpose and the intent of this article. Any such condition shall be satisfied as a condition precedent to issuance of a certificate of occupancy for the development to which the waiver applies.
4. Lapse of Waiver: A waiver granted under this section shall lapse with the lapse of the approved Site Plan or amendment to the "MXU" Mixed Use District, in accordance with Section F of this article.

#### W. AMENDMENTS OF A SITE PLAN

General Requirement: Amendments of any Site Plan shall be made in accordance with the procedure required for approval of the initial plan. Amendments to a Site Plan shall be considered amendment to the "MXU" Mixed Use Zoning District.

## X. DESIGN REQUIREMENTS

### 1. Day Care Facility:

- a. Freestanding day care facilities shall not be permitted.
- b. Day care facilities shall only be permitted on the ground floor level.
- c. Maximum allowable size for a day care facility shall be 5,000 square feet.
- d. Parking for a day care facility shall be provided at a minimum ratio of one (1) space per every ten (10) students.

### 2. Restaurant: A restaurant may be permitted in the Mixed Use District as a conditional use, subject to the following requirements:

- a. Freestanding restaurants shall not be permitted.
- b. Drive-through restaurants shall not be permitted.
- c. Maximum allowable size for a restaurant shall be 7,000 square feet.
- d. Required parking shall be provided at a ratio of one (1) parking space for every 70 square feet of gross floor area.

### 3. Outdoor Seating Area: Outdoor seating (i.e. side walk cafes) may be permitted in the Mixed Use District subject to the following requirements:

- a. Preparation of food outside is prohibited.
- b. Food service facilities must be provided in accordance with the Grapevine food and food establishment ordinance.
- c. Adequate trash and waste removal and cleanup of the area must be provided.

### 4. Health Clubs:

- a. The maximum allowable size for a health club in the Mixed Use District is 10,000 square feet, unless the club entrances are directly adjacent to required parking.

- b. Parking shall be provided at a ratio of one (1) space per every three (3) people, maximum occupancy capacity.

5. Medical Office:

- a. Freestanding medical office buildings are not permitted.
- b. Maximum allowable size for a medical office is 3,000 square feet.
- c. Parking shall be provided at a ratio of one (1) space per every two hundred (200) square feet.